

TOWN OF HINTON/HINTON PUBLIC WORKS AUTHORITY

Policies for Municipal Utility Services

General Policy: *The Town and HPWA (the "Town") will endeavor to provide a safe and adequate water supply, to provide safe and sanitary sewer services, and to facilitate efficient and cost-effective solid waste management for all residents of the Town of Hinton.*

I. General Utility Services.

- a. A *Utility Services Contract* must be completed in full and signed by the Responsible Party on every account. Government-issued photo identification is required to open/continue an account. A copy of the card will be retained with the signed Contract. (Certain accounts held by the owner of Residential Rental Property are subject to different policies, addressed below.)
- b. A new account will not be opened for any person or business entity if the person or entity (including any owner, shareholder, partner, member, guarantor, or other interest party on a commercial account) has an unpaid delinquent balance on any account. All accounts, including all interest, penalties, and other fees, must be paid in full before service will be extended.
- c. Water service will not be extended to addresses outside of Town Limits after September 20, 2016. Water service outside of Town Limits which is in place will be continued after September 20, 2016 if the property owner or occupant signs the Contract for Water Service Outside Municipal Limits required by the Town. All expense for installation and maintenance of infrastructure to service an address outside Town Limits shall be borne by the person/entity requesting such service.
- d. The full amount of the bill for utility services must be paid on the due date printed on the utility bill. If the bill is not paid by the due date, a late fee in the amount of ten percent (10%) of the total amount due will be assessed and added to the bill.
- e. The Town reserves the right to accept and apply all payments in the order and to the charges it deems appropriate.

II. Temporary Service to Residential Rental Properties.

- a. Utility service to the *occupant* of a Residential Rental Property shall be provided in accordance with the general policies set forth herein.
- b. Utility services may be temporarily turned on or off pursuant to the request of the *owner or manager* of a Residential Rental Property for the purposes of cleaning or maintenance upon the following conditions:
 - i. All accounts to which the property owner is a party are in good standing (including all business accounts);
 - ii. The owner has completed a *Temporary Service Account – Rental Property Owner – Commercial Utility Service Contract* listing the subject property as a service address; and
 - iii. The owner has in place the required deposit associated with the *Temporary Service Account* which, taking the owner's use and payment history into account, provides sufficient security for the requested temporary service.
- c. Temporary service and account authorization is a privilege and courtesy extended to residential rental property owners who are in good standing on all fronts with the Town and who have not had issues with no pay, slow pay, tampering with meters, or other matters.

III. Termination of Service – Involuntary.

- a. **Single Address.** Service may be terminated for non-payment on account if any amount due on the account is ten (10) days past due. (Notice will be hand-delivered to the responsible party or posted in a conspicuous place on the affected property at least three (3) business days prior to termination of service.)
- b. **Multiple Addresses.** Service to *all properties* on which the same Responsible Party is named may be terminated if any single account, or any number of accounts combined, become delinquent with an amount of at least \$250.00 past due; or if any account is more than sixty (60) days past due,

Exhibit 5

regardless of the amount owed. Notice of the intent to terminate service to multiple properties shall be mailed to the Responsible Party and posted in a conspicuous place on at least one (1) of the affected properties at least five (5) calendar days before service is terminated.

- c. **Opportunity for Meeting.** A Responsible Party who believes termination is not warranted or wishes to address other issues concerning the account may request a pre-termination meeting with the Town Administrator, who may involve other officers or employees as appropriate. The request must be made within 48 hours of the notice being posted
- d. **Reconnection/Additional Deposit.** Service may be reconnected upon payment of all amounts due and owing, including all disconnect and reconnect fees, all interest, and penalties. If service has been disconnected due to non-payment by the same customer more than one time during a calendar year, an additional deposit may be required before service will be reconnected.

IV. **Termination of Service – Voluntary.**

- a. The Owner or Responsible Party on a Utility Account may request, in writing, that service be discontinued on a date not more than three (3) business days from the date of the request.
- b. A forwarding address and current phone number shall be provided with a request to terminate service.
- c. Within thirty (30) days of service termination, any remaining deposit will be refunded via check, mailed to the party's forwarding address.

V. **Temporary Termination Request.**

- a. An owner or Responsible Party who has no delinquent accounts may request that service to a property be temporarily turned off. In that event, the meter will remain in place at the property.
- b. Any request for temporary service termination must be via the approved form, which includes an acknowledgement and agreement that the meter will remain in place and, should the meter be tampered with and water used, the party will pay all charges associated with the water used as well as any other fees.
- c. A request to resume water service will not be honored if any account in the name of the Responsible Party (including any business accounts for which the individual is a responsible party) is delinquent.
- d. A request to resume water service will not be acted upon until the Responsible Party has paid the reconnect fee required by Ordinance 16-17(2) (or any subsequent version of the ordinance) and has paid all other charges due.

VI. **Account Forgiveness/Deferred Payment.**

It is the responsibility of every party who requests water service to monitor the use of water, including monitoring and maintenance of all pipes and fixtures.

The Town is legally required to attempt to collect unpaid utility bills to satisfy the Oklahoma Constitution's prohibition against giving away public resources. The Town therefore will not consider any request to forgive an amount due unless the responsible party shows that he or she has acted with all due care in monitoring the property and water use.

Partial Forgiveness. The Town Board of Trustees or HPWA may, in very limited circumstances, agree to forgive up to 50% of a single month's unusually large water bill if the responsible party makes a request to the Water Department within 5 business days of the date of the bill and provides evidence in support of the request to prove that the usage was due to an unforeseen issue which was promptly remedied. (For example, a statement from a plumber who repaired a broken line within days of receipt of the unusually large water bill would be evidence that the party did not know of the circumstance but remedied it as soon as the situation came to light.)

Deferred Payment. The Town Administrator may, in consultation with the Water Superintendent and staff, enter into a deferred payment plan with a Responsible Party in rare situations where unexpected circumstances have arisen and the Party is unable to pay as agreed. The Deferred Payment Plan must be in writing and adequate security provided by the Responsible Party. Interest shall continue to accrue on all amounts past due.